

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**ROBERT GUTIERREZ,**

**Defendant.**

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**Case No. 1:21-CR-01931-WJ**

**MOTION TO WITHDRAW AS COUNSEL**

COMES NOW, Román R. Romero, attorney at law, and hereby moves the Court for its Order allowing him to withdraw as counsel for Robert Gutierrez, the Defendant in the above-styled cause, and as grounds for such states as follows:

1. On December 7, 2021, Undersigned counsel was retained to represent Mr. Gutierrez.
2. Despite undersigned counsel's best efforts, the attorney/client relationship has been irreparably compromised.
3. Undersigned counsel would be happy to inform the Court of the difficulties at issue but seeks to avoid the same to ensure that nothing said reflects poorly on the Defendant.
4. Defendant's actions have indicated that he has, in effect, discharged undersigned counsel from further representation.
5. Pursuant to Rule 16-116 NMRA (2019) of the Rules of Professional Conduct, a lawyer must withdraw from representation if he is discharged by the client.
6. Additionally, a client should withdraw when good cause exists for withdrawal. *See, Id.*
7. Undersigned counsel can no longer represent the defendant in this matter based upon the current status of the attorney/client relationship.

8. Opposing Counsel, Presiliano Torrez, has been contacted and takes no position in regard to this motion.

WHEREFORE, undersigned counsel prays that he be permitted to withdraw as attorney of record for the Defendant in the above-styled cause, and for such other and further relief as the Court deems just and proper.

Respectfully Submitted

By: /S/Roman Romero  
Román R. Romero  
Attorney for Defendant  
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CAID 03-243

I hereby certify that a true and correct copy of the foregoing was forwarded to the Assistant United State's Attorney's office this 23rd day of February, 2022.

/S/Roman Romero  
Román R. Romero